



PUBLIC STATEMENT

JANUARY 12, 2021

TESPA STATEMENT ON ELECTRO PURIFICATION FILING NOTICE OF NON-SUIT

On January 11, 2021, shortly after 8:00 p.m., Electro Purification (EP) filed a Notice of Nonsuit and Request to Remand the Application to Barton Springs Edwards Aquifer Conservation District (BSEACD). TESPAs anticipates the State Office of Administrative Hearings (SOAH) Judge will grant the Nonsuit next week. When that occurs, the case will be dismissed, and the trial-like hearing scheduled for April 2021 will be cancelled.

EP's Nonsuit follows the BSEACD's recent testimony recommending that EP receive a permit for only 0.25 million gallons per day (MGD) with the opportunity to increase production to, at most, 0.5 MGD, instead of EP's requested 2.5 MGD. Once the Judge remands the application back to the BSEACD, EP will evaluate whether to continue its pursuit of a groundwater permit.

This is another promising development for everyone trying to protect the aquifers, but the future remains uncertain. TESPAs will monitor EP's application and act accordingly. As always, a very deserved "thank you" to the continued support and individual efforts towards this important cause. TESPAs will follow up with a formal press release.

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Media Contact: Patrick Cox, PhD, 512-217-2279
patrickcox7@gmail.com